

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL ESTRADA, individually
and on behalf of others similarly
situated,

PLAINTIFF,

v.

MAGUIRE INSURANCE AGENCY,
INC.,

DEFENDANT.

CIVIL ACTION NO. 11CIV8092

JURY TRIAL DEMANDED

NOTICE CONCERNING YOUR RIGHT TO JOIN AN ACTION
FOR UNPAID OR UNDERPAID WAGES

INTRODUCTION

You are receiving this Notice because you may be able to participate in a legal action brought on behalf of fast track claims examiners who worked for Maguire Insurance Agency, Inc. The action seeks collective relief for unpaid or underpaid wages.

The purpose of this Notice is to inform you of the lawsuit, to advise you of how your rights may be affected by this action, and to instruct you on the procedure to make a claim if you choose to do so.

DESCRIPTION OF THE ACTION

In February 2012, Michael Estrada filed a lawsuit on behalf of himself and all other similarly situated individuals who worked as fast track claims examiners for Maguire Insurance Agency, Inc. The lawsuit claims that these workers were not paid for all hours worked.

The lawsuit claims that Maguire Insurance Agency, Inc. improperly withheld overtime wages for hours worked in a workweek over 40 hours. The action alleges that these workers are thus owed overtime pay under the Federal Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 *et seq.*

Maguire Insurance Agency, Inc. denies that it violated the FLSA, or that any pay is owed, and they are defending against all claims that have been asserted.

WHO MAY JOIN THE LAWSUIT

You may join the lawsuit if you are a (1) current or former fast track claims examiners, (2) employed by Maguire Insurance Agency, Inc. (3) from [THREE YEARS PRIOR] to present, (4) who was not paid overtime wages.

YOUR RIGHT TO PARTICIPATE IN THIS ACTION

If you are qualified, you may choose to join this action by mailing or faxing the attached Consent Form to Plaintiffs' attorneys:

**The Law Office of Rob Wiley, P.C.
1825 Market Center Boulevard, Suite 385
Dallas, TX 75207
Facsimile: (214) 528-6511**

The Consent Form must be received by The Law Office of Rob Wiley, P.C. on or before [DATE – SIXTY DAYS AFTER MAILING] for you to participate in this case.

EFFECT OF JOINING OR NOT JOINING THIS ACTION

If you join this action, you and Maguire Insurance Agency, Inc. will be bound by any ruling, judgment, award, or settlement, whether favorable or unfavorable. If you choose not to join this action, you are free to take action on your own or to do nothing at all.

If you return a Consent Form, your continued right to participate in this action will depend on a later decision by the Court that you and the named Plaintiffs are "similarly situated" in accordance with applicable laws and that it is appropriate for this case to proceed as a collective action.

If you choose not to join in this action or file your own action, some or all of your potential claims may later be barred by the statute of limitations.

NO RETALIATION PERMITTED

The law prohibits retaliation against employees for exercising their rights under the FLSA. *Therefore Maguire Insurance Agency, Inc. is prohibited from discharging you or retaliating against you in any other manner*

because you choose to participate in this action.

YOUR LEGAL REPRESENTATION IF YOU JOIN

If you choose to join this case by returning a Consent Form, your interests will be represented by the Law Office of Rob Wiley, P.C.:

Robert Joseph Wiley
1825 Market Center Boulevard, Suite 385
Dallas, TX 75207
Telephone: (214) 528-6500
Facsimile: (214) 528-6511

Plaintiffs' counsel has taken this case on a contingency basis. They may be entitled to receive attorney fees and costs from Maguire Insurance Agency, Inc. should there be a recovery or judgment in Plaintiffs' favor. If there is a recovery, Plaintiffs' counsel will receive a part of any settlement obtained or money judgment entered in favor of all members of the class. If there is no recovery or judgment in Plaintiffs' favor, Plaintiffs' counsel will not seek any attorneys' fees from any of the Plaintiffs. The specific terms and conditions will be contained in a fee agreement separately entered into by Plaintiffs' counsel and you if you decide to participate in this case.

**THIS NOTICE AND ITS CONTENT HAVE BEEN AUTHORIZED BY THE
UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA, HONORABLE MITCHELL S. GOLDBERG**

YOU MUST TIMELY RETURN THIS CONSENT FORM TO PARTICIPATE

CONSENT FORM

I hereby consent to join the lawsuit against Maguire Insurance Agency, Inc. to assert claims for wage violations of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* I appoint Robert Joseph Wiley and the attorneys of the Law Office of Rob Wiley, P.C. to act as my attorney in this matter.

Please circle the applicable answer concerning your employment in the fast track claims department of Maguire Insurance Agency, Inc. from [THREE YEARS PRIOR] to present:

1. I worked for the fast track claims department of Maguire Insurance Agency at anytime from [THREE YEARS PRIOR] to present: YES NO
2. I WAS or WAS NOT paid overtime

**FIRST LAST
STREET
CITY, STATE ZIP**

(Please correct the above name and address information if it has changed.)

Signature

E-Mail Address

Date

Employee # or Last 4 of Soc. Sec. #

Best Phone Number

Emergency Number

Mail or Fax to:
Fax: (214) 528-6511
Law Office of Rob Wiley, P.C.
1825 Market Center Blvd., Ste. 385
Dallas, Texas 75207